



MEMORANDUM
ROBERT S. FRANKLAND, AICP
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

DATE: JANUARY 8, 2018

TO: PLANNING COMMISSION

**RE: REVISED VERSION OF THE PROPOSED "MPD" (MIXED USE
PLANNING DISTRICT) ZONING CLASSIFICATION**

Please find attached for your consideration a revised draft of the proposed "MPD" (Mixed Use Planning District) zoning classification. This draft is intended to incorporate recommendations provided by the Planning Commission during the public hearing process.

As such, existing ordinance wording is denoted in "black", proposed new wording is highlighted in "red" and deleted wording is highlighted in "red and struck through".

Please let me know if I can answer any questions that you may have regarding this revised draft ordinance.

DRAFT ORDINANCE #3- JANUARY 8, 2019

(Incorporating Planning Commission Public Hearing Input – with existing wording denoted in “black”, proposed new wording highlighted in “red” and deleted wording highlighted in “red and struck-through”)

PROPOSED AMENDMENT #1

**ORDINANCE ESTABLISHING SECTION
1286 OF THE CITY ZONING CODE:**

“MPD” (MIXED-USE PLANNING DISTRICT)

CHAPTER 1286

“MPD” (MIXED-USE PLANNING DISTRICT)

1286.01 PURPOSE:

The “MPD” (Mixed-Use Planning District) zoning classification is intended to promote the quality redevelopment of the Central Retail District in accordance with the recommendations of the City of Solon Master Plan. As such, the “MPD” zoning classification is designed to accommodate projects that incorporate a diverse mixture of commercial and office uses, while providing **alternative** housing opportunities for **currently** underserved markets, as determined and identified by the City of Solon. As the “MPD” zoning may only be implemented at the specific request of the property owner and may not be implemented by any other means, the City shall have **full and** complete discretion to approve, deny, or modify any site plan application, for any reason relating to the health, safety and welfare of the community, whether specified within the ordinance or not. The “MPD” zoning classification shall exclusively be implemented through the specific approval processes established herein.

1286.02 PERMITTED USES:

The following residential, commercial, office and institutional uses may be permitted within a “MPD” (Mixed-Use Planning District), subject to review and approval by the Planning Commission and City Council, and in accordance with the development ratios specified herein.

1. **RESIDENTIAL USES** - The residential uses listed below may be permitted within A “MPD” (Mixed-Use Planning District). Such uses shall comprise not less than ten

percent (10%) of total project area and not more than twenty five percent (25%) of total project area. Compliance with the required development ratios shall be the exclusive determination of the City of Solon.

- A. Townhomes;
- B. Residential dwelling units located above and/or otherwise attached to retail, office, or institutionally used buildings;
- C. Multi-Family Buildings, but only upon satisfactory demonstration **to the Planning Commission and City Council** that other residential options are not feasible and/or will not advance City Master Plan Goals as effectively within the proposed development scenario;
- D. Any use that is customarily incidental and accessory to any of the above listed permitted uses, as determined by the City of Solon

2. COMMERCIAL, OFFICE AND INSTITUTIONAL USES – The commercial, office and institutional uses listed below may be permitted within an “MPD” (Mixed-Use Planning District). Such uses shall comprise not less than seventy five percent (75%) of total project area and not more than ninety percent (90%) of total project area. Compliance with the required development ratios shall be the exclusive determination of the City of Solon.

- A. Retail sales such as clothing stores, electronics stores, houseware stores, jewelers, office supply stores, bakeries, food stores, etc.;
- B. Retail services such as beauty shops, barbers, travel agents, dry cleaners, photographers, insurance sales, etc.;
- C. Business and professional offices, including medical and dental offices;
- D. Sit-down restaurants;
- E. Casual restaurants;
- F. Fast food restaurants;
- G. Hotels **and Motels**;
- H. **Conference Centers and Banquet Centers**;
- I. Banks and other financial institutions;
- J. Physical therapists;
- K. Child day care and pre-schools;
- L. Exercise and fitness studios;
- M. Pet shops;
- N. Colleges, Schools and Universities;
- O. Churches, Synagogues, Temples, and other places of worship;
- P. Post Office;
- Q. Parks **and indoor/outdoor entertainment and amusement facilities**;
- R. Any use that is determined to be substantially similar to any of the above listed Uses, as determined by the City of Solon;
- S. Any use that is customarily incidental and accessory to any of the above listed permitted uses, as determined by the City of Solon.

1286.03 PROHIBITED USES:

The following uses shall be prohibited within the “MPD” (Mixed-Use Planning District). This list shall be considered to be supplementary to Item 1286.02 (Permitted Uses) above.

1. Gasoline sales;
2. Repair shops, including but not limited to automobile repair and/or servicing;
3. Automobile sales;
4. Contractor shops and landscape businesses;
5. Tattoo Parlors and/or body piercing shops;
6. Businesses selling products commonly used for drug paraphernalia;
7. Gambling establishments, including, but not limited to, internet gambling businesses;
8. Pawnshops, thrift stores, consignment shops, or any other businesses substantially dealing in the acquisition and/or resale of previously used goods;
9. Any use that is determined by the City of Solon to pose a general nuisance, or an imminent danger to the health, safety and welfare of the general public;
10. Any use that is determined by the City of Solon to be substantially similar to any of the above listed Prohibited Uses.

1286.04 SUMMARY OF THE “MPD” REVIEW AND APPROVAL PROCESS

An application for a proposed “MPD” (Mixed- Use Planning District) project shall be subject to the following approval processes and procedures:

1. **ADMINISTRATIVE REVIEW OF THE PRELIMINARY DEVELOPMENT PLAN** - Prior to the submittal of a Preliminary Development Plan Application (see item 1286.05 below) for Planning Commission/City Council review, the relevant materials shall first be submitted to the City to initiate the Administrative Review Process. The Administrative Review Process is intended to familiarize the applicant with “MPD” review/approval procedures in general, and to initiate preliminary architectural review and preliminary site plan review in accordance with Sections 1290.05 and 1291.02, Item 1-A-1 of the zoning code, respectively, in preparation for Planning Commission/Council review.
2. **PLANNING COMMISSION REVIEW AND RECOMMENDATION OF THE PRELIMINARY DEVELOPMENT PLAN** - Once the Administrative Review Process is completed, the applicant shall be authorized to submit the Preliminary Development Plan to the Planning Commission for further review in accordance with the

provisions of Section 1291.02, Items 2 and 3, of the zoning code. However, at this stage of review, plan detail need only comply with the Preliminary Development Plan Application requirements, as specified under Section 1286.05, below. The Planning Commission may request modification of the plan and/or additional information and reviews, and following a minimum of two (2) public hearings, shall ultimately recommend approval or denial of the Preliminary Development Plan to the City Council. However, prior to the holding of the initial required public hearing, all property owners located within a radius of one hundred (100) feet from the property on which the project would be located shall be notified by mail by the Clerk of Council's office and provided a copy of the "MPD" application materials. The final recommendation from the Planning Commission shall note the existence of any known variances from any codified ordinances of the City, relative to the Preliminary Development Plan.

3. **COUNCIL REVIEW OF THE PRELIMINARY DEVELOPMENT PLAN AND DETERMINATION ON REFERENDUM:** Once the Planning Commission review process is completed, the Preliminary Development Plan shall be referred to City Council for further review and final determination. City Council shall have the authority to require the modification of the plan and/or additional information and reviews, and following a minimum of one (1) public hearing, shall approve or deny the forwarding of the plan to the Cuyahoga County Board of Elections for referendum approval. The determination of City Council shall be final.
4. **REFERENDUM APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN:** A preliminary development plan that is approved by City Council shall not become effective until approved by referendum in accordance with Chapter 1292 of the Zoning Code and Article 14 of the City of Solon Charter. However, any referendum approval shall expire one (1) year from the date of the certification of election results by the Cuyahoga County Board of Elections unless a Final Development Plan Application is submitted to the City in compliance with Section 1286.06 below, prior to the elapsing of that period.
5. **ADMINISTRATIVE REVIEW OF THE FINAL DEVELOPEMNT PLAN** A Final Development Plan Application (see item 1286.06 below) shall be submitted to the City to initiate the final Administrative Review Process. The final Administrative Review Process is intended to verify compliance with the voter approved Preliminary Development Plan, provide final architectural review in accordance with Section 1290.05 of the zoning code and provide detailed site plan review and plan development in accordance with Section 1291.02, Item 1-A-1 of the zoning code.
6. **PLANNING COMMISSION REVIEW AND RECOMMENDATION OF THE FINAL DEVELOPMENT PLAN:** Once the Administrative review process is completed, the applicant shall be authorized to submit the Final Development Plan to the Planning Commission for further review in accordance with the provisions of Section 1291.02, Items 2 and 3, of the zoning code and as supplemented under Section 1286.06, below. The Planning Commission may recommend the modification of the plan within the scope of the referendum approved Preliminary Development Plan, request additional information and reviews, and following public hearing shall ultimately provide a recommendation to approve

or deny the Final Development Plan to City Council. However, prior to the holding of any required public hearing, all property owners located within a radius of one hundred (100) feet from the property on which the project would be located shall be notified by mail by the Clerk of Council's office and provided a copy of the "MPD" application materials. The final recommendation from the Planning Commission shall indicate whether substantial compliance with the voter approved Preliminary Development Plan has been maintained, and following public hearing, shall provide recommended actions on any variances associated with the project, in accordance with the provisions of Chapter 1293 of the Zoning Code.

7. **COUNCIL APPROVAL OF THE FINAL DEVELOPMENT PLAN:** Once the Planning Commission review process is complete, the Final Development Plan shall be referred to City Council for further review, the holding of a minimum of one (1) public hearing and final determination. City Council shall have the authority to require the modification of the plan, request additional information and reviews, and approve or deny the plan, based upon whether the plan is determined to be in substantial compliance with the referendum approved preliminary development plan.

Subsequent to Council approval of a Final Development Plan, the "MPD" plan and any associated supporting documents constituting the conditions for site plan approval, shall then replace the underlying zoning on the property, in accordance with the referendum approval. The "MPD" plan and any associated conditions for site plan approval shall then constitute the zoning classification for the property and shall be implemented and recorded on the City of Solon Zoning Map.

1286.05 PRELIMINARY DEVELOPMENT PLAN – APPLICATION REQUIREMENTS

The following information and materials shall constitute the minimum requirements for a Preliminary Development Plan application for Administrative/Planning Commission/Council review. The Planning Commission and/or City Council may require that any information provided in the Preliminary Development Plan application be amended, altered, and/or supplemented, at their discretion. The applicant may submit more detailed information than that required herein for a Preliminary Development Plan application, at their discretion.

1. **APPLICATION FORM AND COVER LETTER** - A completed "APPLICATION TO THE SOLON PLANNING COMMISSION/COUNCIL FOR SITE PLAN REVIEW" form shall be submitted along with a cover letter reviewing the background and scope of the proposed project. The cover letter should also include an explanation of how the proposed project would advance the City Master Plan goals for the area in question, and should note any expected variances and/or anticipated challenges to successful completion of development. A specific sequence and timeline for the construction of each project phase shall also be provided.
2. **PRELIMINARY SITE PLAN** - A Preliminary Site Plan site plan shall be submitted

that is drawn to a scale acceptable to the City. This site plan shall clearly indicate the following:

- a. Location of all existing and proposed lot lines;
 - b. Location of all existing and proposed buildings and structures, including setbacks from all property lines and right of way lines, proposed height, dimensions and number of stories, and including a notation of the number and general type of individual residential and/or business unit(s) intended within each building;
 - c. Location of existing and proposed parking lot provisions, including proposed dimensions and setbacks of parking spaces, aisle-ways, cross access drives and street access points;
 - d. Location of greenspaces and proposed recreation areas;
 - e. Location of floodplains, streams, bodies of water, including any wetlands as identified by a wetlands delineation;
 - f. Existing and proposed site topography at one (1) foot intervals;
 - g. Location of any dumpsters facilities;
 - h. Location of any loading or service areas;
 - i. Location of any free standing signs;
 - j. Location of pedestrian circulation provisions and amenities;
 - k. Location of existing and proposed onsite easements, right of ways, etc., and demonstrated access to offsite utilities, as needed;
 - l. Location of existing and proposed utilities, including but not limited to sanitary sewers, storm sewers, waterlines, gas, electric, cable fiber, etc..
 - l. Location of proposed storm water management areas;
 - m. Location of proposed above ground mechanical equipment;
 - n. Location of lighting poles;
 - o. A summary table indicating total site acreage, total green space, total provided parking, and total building coverage by use category, in accordance with Section 1286.02, above.
3. **PRELIMINARY ELEVATION PLAN** – A preliminary elevation plan shall be Submitted, drawn to a scale acceptable to the City, illustrating the front, side, and rear views of all buildings. Such Elevation Plans shall clearly indicate all proposed materials colors and architectural design. Color renderings shall also be provided showing the buildings from various perspectives, within the context of the project site.
4. **PRELIMINARY LANDSCAPE PLAN** - A preliminary landscape plan shall be submitted indicating the location and general design of all landscape, greenspace, and site buffering provisions. When adjacent to residential zoned or used areas, any proposed site buffer provisions shall include the specific plant species, number, spacing and height of vegetation at planting, as well as the height/location of buffer mounds and/or any other proposed screening features. **Priority should be given to preserving existing trees and foliage as part of the screening plan for any project site.**
5. **WETLANDS DELINEATION STUDY AND PLAN**- A Wetlands Delineation study shall be submitted in, a format acceptable to the City Engineer, clearly

indicating the location and classification of all wetland areas located within the project site. If wetlands are proposed to be impacted as part of the project plan, the proposed means and method for the proposed mitigation are to be noted. The wetlands delineation study shall also be submitted to the Army Corps of Engineers for confirmation and approval.

6. **PRELIMINARY STORM WATER MANAGEMENT PLAN** - Any proposal to construct or expand any impervious surface area on any property, including but not limited to the construction or expansion of any building or parking area, shall be accompanied by a preliminary storm water management plan which shall clearly indicate the location and method by which storm water run-off, including storm water quantity and storm water quality, are to be addressed. Such plan shall be in a format that is acceptable to the City Engineer. The City Engineer and/or his/her designee shall complete the review of the preliminary storm water management plan and shall provide written recommendations to the Planning Commission and City Council prior to either board taking final action on the proposed project.

The City Engineer, the Planning Commission, and/or City Council may specifically require the submittal of final storm water management plan (see Section 1286.06, Item-6, below) rather than a preliminary storm water management plan at any point in the review process.

7. **TRAFFIC IMPACT ANALYSIS REQUIRED** – Any proposed development that generates more than 100 trips (in and out) in the peak hour according to the relevant model provided in the most current edition of the Institute of Traffic Engineers Trip Generation Manual, shall be subject to the submittal of a professionally prepared, detailed traffic impact analysis for review by the City. The proposed consultant or entity to provide the analysis shall be subject to approval by the City Engineer **and shall be paid for by the property owner**. The traffic analysis shall examine the likely impacts that the proposed use will have on the existing roadway system and shall identify methods for mitigating any potential negative impacts. The City Traffic Engineer, under the direction of the City Engineer and/or his/her designee, shall complete the review of the traffic impact analysis and plan and shall provide written recommendations to the Planning Commission and City Council prior to either board taking final action relating to the proposed project.
8. **PRELIMINARY DEVELOPMENT AGREEMENT** – In addition to any plans and studies required above, a legally binding Development Agreement may be required, at the discretion of the City. The purpose of the Development Agreement shall be to further define the scope, scale, timeframes, operation, regulation and any other approval contingencies relating to the project, as deemed necessary by the Planning Commission or City Council. Any required Development Agreement shall constitute an integral and binding component of the “MPD” Preliminary Development Plan, as submitted for referendum approval.
9. **SANITARY SEWER CAPACITY ANALYSIS** - Any proposed development will

require a comprehensive sanitary sewer capacity analysis. The firm that would perform the work, as well as the scope of the work to be performed within the analysis, shall be subject to the City's review and approval. Unless otherwise agreed to by the City, the Developer shall be exclusively responsible for any on-site improvements required by the sanitary sewer capacity analysis and for any offsite work (if any) as may be necessary to cause the development to be connected to the existing sanitary sewer system as required by the sanitary sewer capacity analysis. The necessity for any sanitary sewer improvements, whether off-site or on-site, shall be at the sole discretion of the City.

10. **SUPPLEMENTARY INFORMATION** – The Planning Commission and/or City Council shall have the authority to request any additional information, studies, plans, etc., that they consider to be necessary to make an informed decision prior to making any determination regarding a Preliminary Development Plan application.

1286.06 – FINAL DEVELOPMENT PLAN – APPLICATION REQUIREMENTS
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A Final Development Plan shall remain in substantial compliance with the referendum approved Preliminary Development Plan and shall not deviate from such plan except in minor and incidental aspects.

The following information and materials, below, shall be included in any application for review of an "MPD" (Mixed-Use Planning District) Final Development Plan:

1. **APPLICATION FORM AND COVER LETTER** - A completed "APPLICATION TO THE SOLON PLANNING COMMISSION/COUNCIL FOR SITE PLAN REVIEW" form shall be submitted. The cover letter should clearly list any alterations or changes that are proposed to the referendum approved Preliminary Development Plan as well as any anticipated requests for variances from the City Zoning Code, Codified Ordinances, or any other requirements or policies of the City of Solon.
2. **FINAL SITE PLAN** - A Final Site Plan shall be submitted that is drawn to a scale acceptable to the City. The Final Site plan shall demonstrate substantial compliance with the referendum approved Preliminary Site Plan and shall clearly indicate the following:
 - a. Location of all existing and proposed lot lines;
 - b. Location of all existing and proposed buildings and structures, including setbacks from all property lines and right of way lines, proposed height, dimensions and number of stories, and including a notation of the number and general type of individual residential and/or business unit(s) intended within each building;
 - c. Location and design details of existing and proposed parking lot provisions,

- including proposed dimensions and setbacks of parking spaces, aisle-ways, cross access drives and street access points;
- d. Location and design detail of greenspaces and proposed recreation areas;
 - e. Location of floodplains, streams, bodies of water, including any wetlands as identified by the wetlands delineation required herein;
 - f. Existing and proposed site topography at one (1) foot intervals;
 - g. Location and design details of any dumpsters facilities and enclosures;
 - h. Location and design details of any loading or service areas;
 - i. Location and design details of any free standing signs;
 - j. Location and design details of any pedestrian/multipurpose circulation provisions including demonstrated compliance with ADA accessibility requirements;
 - k. Location and design details of existing and proposed onsite easements and right of ways, and demonstrated access to offsite utilities, as needed.
 - l. Location of existing and proposed utilities, including but not limited to sanitary sewers, storm sewers, waterlines, gas, electric, cable fiber, etc..
 - m. Location and design details of proposed storm water management areas;
 - n. Location and design details of proposed above ground mechanical equipment;
 - o. Photometrics Plan, demonstrating compliance with all City of Solon lighting requirements and location and design details of all lighting fixtures and poles;
 - p. A summary table indicating total site acreage, total green space, total provided parking and total building coverage by use category in accordance with Section 1286.02, above.
3. **FINAL ELEVATION PLANS** – Final Elevation Plans shall be submitted, drawn to a scale acceptable to the City, illustrating the front, side, and rear views of all buildings. Such Elevation Plans shall clearly indicate all proposed materials colors and architectural design. Design details shall also be provided for all above ground structures, including but not limited to signage, fencing, mechanical equipment, dumpsters, lighting poles and fixtures, benches, aesthetic amenities, etc..
4. **FINAL LANDSCAPE PLAN** - A Final Landscape Plan shall be submitted indicating the location and specific design of all landscape, greenspace, and site buffering provisions. The plan shall clearly denote the location, number, spacing and height of vegetation at planting and maturity, as well as the specific proposed plant species. The plan shall also denote the location and dimensions of any proposed landscape mounds and the location, dimensions and design details of any other proposed landscape related features such as planters, fountains, art, sculpture, fences, walls, etc..
5. **FINAL WETLANDS DELINEATION STUDY AND PLAN**- The Wetlands Delineation study that was required in accordance with the Preliminary Development Plan shall be submitted. Should the City Engineer determine that any proposed alteration to the referendum approved Preliminary Development Plan requires additional study or information relating to wetlands, the required information, studies, etc., shall be provided for review. If any confirmed wetlands are impacted as part of the project, as determined by the wetlands delineation, an Army Corps of Engineers

permit will be required. Proof of payment for the mitigation of wetland impacts will be required in accordance with the Army Corps of Engineers permit prior to the construction permit approval.

6. **FINAL STORM WATER MANAGEMENT PLAN** – The final storm water management plan shall be submitted in a format that is acceptable to the City Engineer. This plan, which shall clearly indicate the location and method by which storm water run-off, including storm water quality and storm water quantity, are to be addressed, ~~including~~ along with detailed calculations and other supporting documentation to enable final review and approval by the City Engineer in accordance with Federal, State, Local and City requirements. The City Engineer and/or his/her designee shall complete the review of the final storm water management plan and shall provide written recommendations to the Planning Commission and City Council prior to either board taking final action on the proposed project.
7. **TRAFFIC IMPACT ANALYSIS** – The Traffic Impact Analysis that was required in accordance with the Preliminary Development Plan shall be submitted. Should the City Engineer determine that any proposed alteration to the referendum approved Preliminary Development Plan requires additional study or information relating to traffic and/or circulation issues, the required information, studies, etc., shall be provided for review **and shall be paid for by the property owner.**
8. **FINAL DEVELOPMENT AGREEMENT** – The Development Agreement as approved under the Preliminary Development Plan shall be recorded with the Cuyahoga County Recorder's Office within 30 days of Council's approval of the Final Development Plan. However, the agreement may be may be modified prior to recording through petition to City Council and/or by requirement of City Council, provided that any such amendment either adds restrictions to the referendum approved agreement, or, is otherwise found to be in substantial compliance with the referendum approved agreement.
9. **SUPPLEMENTARY INFORMATION** – The Planning Commission and/or City Council shall have the authority to request any additional information, studies, plans, etc. that they consider to be necessary to make an informed decision prior to making any determination on a Final Development Plan application.

1286.07 –AMENDMENT TO AN APPROVED FINAL DEVELOPMENT PLAN

An amendment may be requested to a previously approved Final Development plan, by petition to City Council. Council shall have the discretion to refer the request to the Planning Commission for further study and recommendation. Following any subsequent recommendation from the Planning Commission, City Council shall have authority to amend the Final Development Plan. However, no such amendment shall be made unless it is determined that said amendment is in substantial compliance with the referendum approved Preliminary

Development Plan. Any proposed amendment that is found not to in substantial compliance with the referendum approved Preliminary Development Plan ~~may~~ **must** be resubmitted for voter approval, but only in accordance with the reviews and processes established herein.

1286.08 –COMPLIANCE WITH MINIMUM NON-RESIDENTIAL USE STANDARDS REQUIRED ORDINANCES

Unless specified otherwise within this ordinance, an “MPD” (Mixed- Use Planning District) project shall comply with all standards that are applicable to the “C-3” (Commercial) zoning district. These shall include: building and structure design and color standards; parking requirements; landscaping and site buffering; average site lighting levels and lighting intensities at property lines; signage; as well as any other applicable nuisance and health safety welfare ordinances and policies, as determined by the City of Solon.

1286.09 MINIMUM DEVELOPMENT STANDARDS

A. LOT REQUIREMENTS:

- 1. **MINIMUM PROJECT AREA** - Any proposed “MPD” (Mixed Use Planned Development) project shall consist of at least eight (8) contiguous acres of property under common ownership.
- 2. **MINIMUM PROJECT GREEN SPACE** - At least twenty five percent (25%) of the project site shall be reserved as green space.

B. BUILDING SET-BACKS AND DIMENSION REQUIREMENTS:

- 1. **MINIMUM SETBACK FROM PUBLIC STREETS** – A minimum setback of forty (40) feet shall be provided from any public street right of way.
- 2. **MAXIMUM STRUCTURE HEIGHT** - No structure may exceed thirty five (35) feet in height above finished grade. However, elevator housings or other rooftop mounted mechanical equipment may extend to a height of fifteen (15) feet above the roofline of the structure on which they are located, provided that they are set-back from all main building walls, and provided that they are designed as an integral part of the building or are otherwise enclosed with similar architectural treatment as are the main building walls.
- 3. **MINIMUM SET-BACK BETWEEN BUILDINGS** - A minimum setback of

twenty (20) feet shall be provided between buildings on the same, or adjacent lots.

C. PARKING AREA SET-BACKS AND DIMENSION REQUIREMENTS:

1. **MINIMUM FRONT YARD SET-BACK** - Parking areas shall be located no closer than twenty (20) feet to any front property line.
2. **MINIMUM SETBACK FROM BUILDINGS** - Parking areas and street access drives shall be located no closer than ten (10) feet to any building.
3. **MINIMUM PARKING AREA GREEN SPACE:** Large unbroken parking areas shall be avoided. Therefore, no parking area shall contain more than twenty (20) spaces without interruption by green space, and at least five percent (5%) of the interior area of any parking area containing twenty-one (21) or more parking spaces shall be reserved as green space. Parking area green space shall be included in the calculation of total site green space.

**SUMMARY TABLE OF
“MPD” (MIXED- USE PLANNING DISTRICT)
REQUIREMENTS***

LOT

MIN. PROJECT AREA.....8 ACRES
MIN. PROJECT GREENSPACE.....25% OF SITE

LAND USE MIX

**MIN. RESIDENTIAL DEVELOPEMENT
ACREAGE.....10% OF SITE**

**MAX. RESIDENTIAL DEVELOPMENT
ACREAGE.....25% OF SITE**

**MIN. NON-RESIDENTIAL DEVELOPEMNT
ACREAGE.....75% OF SITE**

**MAX. NON- RESIDENTIAL DEVELOPMENT
ACREAGE.....90% OF SITE**

SET-BACKS

**MIN. SET-BACK OF BUILDINGS FROM STREET
RIGHT OF WAYS.....40 FEET**

**MIN. SET-BACK OF PARKING AREAS FROM STREET
RIGHT OF WAYS.....20 FEET**

** SEE TEXT FOR COMPLETE REQUIREMENTS*

PROPOSED AMENDMENT #2

ORDINANCE ADDING DEFINITIONS FOR “SUBSTANTIAL COMPLIANCE” AND “TOWNHOMES” AND TO SECTION 1261.02 OF THE CITY ZONING CODE:

SUBSTANTIAL COMPLIANCE - A determination, made exclusively by the City of Solon Planning Commission and/or Solon City Council, that an “MPD” (Mixed-Use Planning District) Final Development Plan accurately reflects the scope, scale, layout, design, intentions, quality and character of the referendum approved “MPD” Preliminary Development Plan **and does not require any new variances**. To meet the “substantial compliance” standard, only incidental alterations to the referendum approved plan will be considered, such as minor shifts in the site plan designated building or parking area footprints; alterations to materials, colors or features impacting incidental portions of the elevation of structures; substitution of materials or products for those of equal or higher level quality, as determined by the City of Solon; alterations to landscaping impacting incidental portions of the premises; or any other modification to buildings, structures or premises that are similar in impact to the foregoing. Failure to meet the “substantial compliance” requirement will result in the denial of the “MPD” Final Development Plan.

TOWNHOME – A multi-story single family dwelling unit which is attached to one or more similar single family dwelling units, by shared walls.

